

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7347 of 2005

Between:

- 1 Allada Kameshwaramma, W/o A.R. Joga Rao, Hindu,
R/o Official Colony, 2nd Lane, Visakhapatnam.
- 2 N. Venkataramanamma, w/o N.V. Seetharamayya, Hindu,
R/o Agraharam, Government Hospital, Road, Peddapuram, East Godavari
District.

..... PETITIONER(S)

AND

- 1 The State of Andhra Pradesh, rep. by its Secretary, Tribal Welfare
Department, Secretariat, Secretariat Buildings, Hyderabad.
- 2 The Additional Agent to Government, Rampachodavaram, East Godavari,
District.
- 3 The Special Deputy Collector, (Tribal Welfare) Rampachodavaram,
East Godavari District.
- 4 The Mandal Revenue Officer, Gangavaram Mandal, Rampachodavaram
Division, East Godavari District.
- 5 Kunjam Parvathi, W/o Babu Rao, Hindu,
R/o Donelapalli Village, Gangavram Mandal, East Godavari District.
- 6 The Revenue Divisional Officer-cum-Land Acquisition Officer,
Rampachodavaram, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ declaring the action of the 1st respondent in refusing the grant stay pending revision before it is illegal, and arbitrary and for a consequential order granting stay pending disposal of the revision before the Government.

Counsel for the Petitioner: MR.M.LAKSHMANA SARMA

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

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ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 1st respondent in refusing to grant stay pending revision before it as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare and perused the material on record.

Admittedly, a revision petition is pending before the 1st respondent-Government, which has to take appropriate decision in accordance with law. The order passed by the preliminary authority has been reversed by the appellate authority. Therefore, the issue with regard to the payment of compensation has to be determined and decided before the disposal of the revision petition.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 1st respondent to take appropriate decision and pass necessary orders within a period of three months from the date of receipt of a copy of this order. Till then status quo obtaining as on today shall be maintained.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

5th April, 2005

bcj

To

- 1 The Secretary, The State of Andhra Pradesh, Tribal Welfare Department, Secretariat, Secretariat Buildings, Hyderabad.
- 2 The Additional Agent to Government, Rampachodavaram, East Godavari, District.
- 3 The Special Deputy Collector, (Tribal Welfare) Rampachodavaram, East Godavari District.
- 4 The Mandal Revenue Officer, Gangavaram Mandal, Rampachodavaram Division, East Godavari District.
- 5 The Revenue Divisional Officer-cum-Land Acquisition Officer, Rampachodavaram, East Godavari District.
- 6 Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT)
- 7 Two C.D. copies.